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| 1.1 | Oracle America, Inc. and Oracle International | |
| 14 | Corp. | |
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| 13 | UNITED STATES D | ISTRICT COURT |
| 16 | OMILD SIMILS D | BIRICI COURT |
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| | DISTRICT OF | FNEVADA |
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| | ORACLE USA, INC., a Colorado corporation; | F NEVADA Case No 2:10-cv-0106-LRH-PAL |
| 17 18 | | |
| 18 | ORACLE USA, INC., a Colorado corporation; | |
| | ORACLE USA, INC., a Colorado corporation; ORACLE AMERICA, INC., a Delaware | Case No 2:10-cv-0106-LRH-PAL PLAINTIFFS ORACLE USA, INC., |
| 18 19 | ORACLE USA, INC., a Colorado corporation; ORACLE AMERICA, INC., a Delaware corporation; and ORACLE INTERNATIONAL | Case No 2:10-cv-0106-LRH-PAL PLAINTIFFS ORACLE USA, INC., ORACLE AMERICA, INC., AND |
| 18 | ORACLE USA, INC., a Colorado corporation; ORACLE AMERICA, INC., a Delaware corporation; and ORACLE INTERNATIONAL | Case No 2:10-cv-0106-LRH-PAL PLAINTIFFS ORACLE USA, INC., ORACLE AMERICA, INC., AND ORACLE INTERNATIONAL |
| 18 19 20 | ORACLE USA, INC., a Colorado corporation; ORACLE AMERICA, INC., a Delaware corporation; and ORACLE INTERNATIONAL CORPORATION, a California corporation, | Case No 2:10-cv-0106-LRH-PAL PLAINTIFFS ORACLE USA, INC., ORACLE AMERICA, INC., AND |
| 18 19 | ORACLE USA, INC., a Colorado corporation; ORACLE AMERICA, INC., a Delaware corporation; and ORACLE INTERNATIONAL CORPORATION, a California corporation, Plaintiffs, v. | Case No 2:10-cv-0106-LRH-PAL PLAINTIFFS ORACLE USA, INC., ORACLE AMERICA, INC., AND ORACLE INTERNATIONAL CORPORATION'S MOTION TO SEAL EXHIBIT C TO JOINT CASE |
| 18 19 20 21 | ORACLE USA, INC., a Colorado corporation; ORACLE AMERICA, INC., a Delaware corporation; and ORACLE INTERNATIONAL CORPORATION, a California corporation, Plaintiffs, v. RIMINI STREET, INC., a Nevada corporation; | Case No 2:10-cv-0106-LRH-PAL PLAINTIFFS ORACLE USA, INC., ORACLE AMERICA, INC., AND ORACLE INTERNATIONAL CORPORATION'S MOTION TO SEAL EXHIBIT C TO JOINT CASE MANAGEMENT CONFERENCE |
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| 18 19 20 21 22 | ORACLE USA, INC., a Colorado corporation; ORACLE AMERICA, INC., a Delaware corporation; and ORACLE INTERNATIONAL CORPORATION, a California corporation, Plaintiffs, v. RIMINI STREET, INC., a Nevada corporation; SETH RAVIN, an individual, | Case No 2:10-cv-0106-LRH-PAL PLAINTIFFS ORACLE USA, INC., ORACLE AMERICA, INC., AND ORACLE INTERNATIONAL CORPORATION'S MOTION TO SEAL EXHIBIT C TO JOINT CASE MANAGEMENT CONFERENCE |
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| 18 19 20 21 22 23 24 | ORACLE USA, INC., a Colorado corporation; ORACLE AMERICA, INC., a Delaware corporation; and ORACLE INTERNATIONAL CORPORATION, a California corporation, Plaintiffs, v. RIMINI STREET, INC., a Nevada corporation; SETH RAVIN, an individual, | Case No 2:10-cv-0106-LRH-PAL PLAINTIFFS ORACLE USA, INC., ORACLE AMERICA, INC., AND ORACLE INTERNATIONAL CORPORATION'S MOTION TO SEAL EXHIBIT C TO JOINT CASE MANAGEMENT CONFERENCE |
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| 18 19 20 21 22 23 24 25 26 | ORACLE USA, INC., a Colorado corporation; ORACLE AMERICA, INC., a Delaware corporation; and ORACLE INTERNATIONAL CORPORATION, a California corporation, Plaintiffs, v. RIMINI STREET, INC., a Nevada corporation; SETH RAVIN, an individual, | Case No 2:10-cv-0106-LRH-PAL PLAINTIFFS ORACLE USA, INC., ORACLE AMERICA, INC., AND ORACLE INTERNATIONAL CORPORATION'S MOTION TO SEAL EXHIBIT C TO JOINT CASE MANAGEMENT CONFERENCE |
| 18 19 20 21 22 23 24 25 | ORACLE USA, INC., a Colorado corporation; ORACLE AMERICA, INC., a Delaware corporation; and ORACLE INTERNATIONAL CORPORATION, a California corporation, Plaintiffs, v. RIMINI STREET, INC., a Nevada corporation; SETH RAVIN, an individual, | Case No 2:10-cv-0106-LRH-PAL PLAINTIFFS ORACLE USA, INC., ORACLE AMERICA, INC., AND ORACLE INTERNATIONAL CORPORATION'S MOTION TO SEAL EXHIBIT C TO JOINT CASE MANAGEMENT CONFERENCE |

| 1 | PLAINTIFFS' MOTION TO SEAL |
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| 2 | Pursuant to the Stipulated Protective Order governing confidentiality of documents |
| 3 | entered by the Court on May 21, 2010, Dkt. 55 ("Protective Order"), and Rules 5.2 and 26(c) of |
| 4 | the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle America, Inc. and |
| 5 | Oracle International Corporation (together "Oracle" or "Plaintiffs") respectfully request that the |
| 6 | Court order the Clerk of the Court to file under seal Exhibit C to the Joint Case Management |
| 7 | Conference Statement ("Exhibit C"). Exhibit C was lodged under seal with the Court on May |
| 8 | 13, 2011. See Dkt. 137. |
| 9 | Sealing Exhibit C is requested because the document contains information that Oracle has |
| 10 | designated as "Confidential Information" and as "Highly Confidential Information – Attorneys' |
| 11 | Eyes Only" under the terms of the Protective Order. The requested relief is necessary and |
| 12 | narrowly tailored to protect the confidentiality of the commercially sensitive business |
| 13 | information identified by Oracle, namely, information about Oracle's computer systems and |
| 14 | information relating to the effects of certain types of improper activity on those systems. The |
| 15 | Protective Order provides that: "Counsel for any Designating Party may designate any Discovery |
| 16 | Material as 'Confidential Information' or 'Highly Confidential Information - Attorneys' Eyes |
| 17 | Only' under the terms of this Protective Order only if such counsel in good faith believes that |
| 18 | such Discovery Material contains such information and is subject to protection under |
| 19 | Federal Rule of Civil Procedure 26(c). The designation by any Designating Party of any |
| 20 | Discovery Material as 'Confidential Information' or 'Highly Confidential Information - |
| 21 | Attorneys' Eyes Only' shall constitute a representation that an attorney for the Designating Party |
| 22 | reasonably believes there is a valid basis for such designation." Protective Order \P 2 (emphasis |
| 23 | supplied). |
| 24 | Thus, in identifying Exhibit C as containing Confidential and Highly Confidential |
| 25 | material, Oracle as the designating party has represented that good cause exists for sealing |
| 26 | Exhibit C. This is a sufficient showing of good cause to permit a sealing order on a non- |
| 27 | dispositive motion. See, e.g., Pacific Gas and Elec. Co. v. Lynch, 216 F. Supp. 2d 1016, 1027 |
| 28 | (N.D. Cal. 2002) |

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| 1 | The parties have submitted all other materials in the Case Management Conference | | |
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| 2 | Statement filed May 13, 2011, for filing in the Court's public files, which would allow public | | |
| 3 | access to the filings except for Oracle's discovery response that contains information designated | | |
| 4 | as Confidential and Highly Confidential. Accordingly, the request to seal is narrowly tailored. | | |
| 5 | For the foregoing reasons, Oracle respectfully requests that the Court find that good caus | | |
| 6 | exists to file under seal Exhibit C. | | |
| 7 | | | |
| 8 | DATED: May 13, 2011 BINGHAM McCUTCHEN LLP | | |
| 9 | | | |
| 10 | By: /s/ Geoffrey M. Howard | | |
| 11 | Geoffrey M. Howard | | |
| 12 | Attorneys for Plaintiffs Oracle USA, Inc., Oracle America, Inc., | | |
| 13 | and Oracle International Corp. | | |
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| | Attorneys for Plaintiffs Oracle USA, Inc., Oracle America, Inc. and Oracle International Corp. | |
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| | UNITED STATES | DISTRICT COURT |
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| | DISTRICT O | OF NEVADA |
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| | DRACLE USA, INC., a Colorado corporation; | Case No 2:10-cv-0106-LRH-PAL |
| | ORACLE AMERICA, INC., a Delaware | |
| (| corporation; and ORACLE INTERNATIONAL | |
| | CORPORATION, a California corporation, | ORDER GRANTING |
| | , 1 | PLAINTIFFS ORACLE USA, INC., |
| | Plaintiffs, | ORACLE AMERICA, INC., AND |
| | V. | ORACLE INTERNATIONAL |
| | ٧. | CORPORATION'S MOTION TO |
| D | IMINI CTDEET INC a Navada aamanatian | SEAL EXHIBIT C TO JOINT CASE |
| | IMINI STREET, INC., a Nevada corporation; | |
| 2 | SETH RAVIN, an individual, | MANAGEMENT CONFERENCE |
| | | STATEMENT |
| | Defendants. | |
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| 1 | [PROPOSED] ORDER |
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| 2 | Pending before this Court is Plaintiffs Oracle USA, Inc., Oracle America, Inc. and Oracle |
| 3 | International Corporation's Motion to Seal Exhibit C to the Joint Case Management Conference |
| 4 | Statement ("Plaintiffs' Motion to Seal"). See Dkt. 137. Federal Rule of Civil Procedure 26(c) |
| 5 | provides broad discretion for a trial court to permit sealing of court documents for, inter alia, the |
| 6 | protection of "a trade secret or other confidential research, development, or commercial |
| 7 | information." Fed. R. Civ. P. 26(c). Having considered Plaintiffs' Motion to Seal, compelling |
| 8 | reasons having been shown and good cause existing: |
| 9 | IT IS HEREBY ORDERED THAT: Plaintiffs' Motion to Seal is GRANTED. |
| 10 | The Clerk of the Court shall file under seal the Exhibit C to the Joint Case Management |
| 11 | Conference Statement. |
| 12 | IT IS SO ORDERED. |
| 13 | DATED: May 18, 2011 |
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| 15 | By: Jeggy a. Jeen |
| 16 | Hon. Peggy A. Leen United States Magistrate Judge |
| 17 | Office States Magistrate Judge |
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